

EFFECTIVE

June 1, 2014.

Subject(s)

Pilot Policy

Partners

- **Department of Human Services (DHS)**
- **Jackson County, DHS.**
- **Medical Consultation Staff.**
- **Field Operations Administration.**
- **Policy and Field Legal Services.**
- **Allegiance Health/Hospital**
- **Licensing and Regulatory Affairs (LARA)**
- **Michigan Administrative Hearing System (MAHS)**

Introduction

This pilot project was developed to expedite a final eligibility determination for individuals who are seeking Medicaid (MA) assistance and allow those individuals to speak with a disability examiner regarding the disability determination and a first line manager for eligibility determination concerns. Highlights of the policy changes are listed below.

Both current policy and pilot policy will continue to have disability determinations made by the Medical Review Team (MRT) and eligibility determinations made by the DHS specialist.

The pilot will begin on June 1, 2014.

Prehearing Conference

This pilot adds a prehearing conference for MA disability cases. Current policy does not require a prehearing conference for disability related determinations.

Prior to the pilot, prehearing conferences were not scheduled for hearing requests disputing disability determinations for the simple fact that the Department did not make the decision and was unable to discuss how the decision was made with the individual.

In this pilot, a senior disability examiner will participate via telephone (teleconference) during the prehearing conference and be able to discuss all of the following:

- The individual's disability.
- The Social Security Administration (SSA) sequential evaluation process.
- The SSA disability listings.
- How all of the above relate to the individual and the medical evidence provided.
- How all of the above was used in the determination process.
- Any additional medical evidence the individual may bring to the prehearing conference.

In addition, the prehearing conference will include a DHS first line manager. The manager will be available to discuss any eligibility concerns that arise at the prehearing conference.

The combination of senior disability examiner and first line supervisor ensure a meaningful prehearing conference, adding the value of their expertise to explain why the individual does not meet the disability criteria, or be able to discuss the individual's disability and review any additional verification presented.

State Hearing Review Team (SHRT)

Current policy requires all cases disputing a disability determination to be sent for a second level review by the SHRT. This pilot eliminates the SHRT review as the second level review will be completed by the senior MRT.

Hearings Packets

Hearing packets will be retained in electronic format. The hearing packets, including all medical documentation will be scanned into a SharePoint team site.

Share Point Team Site

DHS and MAHS set up a shared team site for this pilot. All pilot cases will be transferred to MAHS in the team site and all MAHS information will be available to DHS staff in the team site.

Purpose

This pilot focuses on implementing changes necessary to create a coordinated and integrated system across departments, thereby

improving the quality and efficiency of customer service. The pilot provides a meaningful opportunity to resolve client concerns at the earliest time frame possible, while reducing the need for an administrative hearing, reduce the paper flow and the wait time for individuals who do progress to the administrative hearing level.

The reduction in the number of administrative hearing will result by scheduling and holding meaningful prehearing conferences at the local level. The pre-hearing conference will open the lines of communication for individuals served by the Department who have concerns over case actions taken, including the disability determination, up to a first line manager and a senior MRT in an attempt to provide individuals with a complete understanding of the case action(s) taken.

It is anticipated that most clients will take advantage of the prehearing conference before the case proceeds to MAHS for an administrative hearing.

Process

The project will include all requests for hearings that are received by the Allegiance Group from an application taken at Allegiance Health – Medical Contact Workers located at Allegiance Health on June 1, 2014, and continue through May 31, 2015. Hearing requests that dispute any case actions, including the MRT decision, will be considered pilot cases.

ADMINISTRATIVE HEARING

MA and SDA disability programs

The administrative hearing process for this pilot begins when a request for hearing is received and continues through implementation of the decision and order.

The first level in this appeals process is a meaningful prehearing conference at the local office level. This pilot is for medical cases and associated assistance payments programs.

Individuals will be chosen for the pilot after an Allegiance Financial Counselor or DHS Medical Contact Worker (MCW) screens the individual. The screening criteria can include any:

1. Individual who presents to Allegiance Health with no medical insurance or is underinsured.

**Scheduling
Meaningful
Prehearing
Conference**

2. Individual who declares assets below the asset level for any MA program.
3. Any individual who is not under age 21, over age 65, pregnant, or the parent or caretaker of a child.

Within one business day of receiving a request for hearing, the MCW will:

- Schedule a meaningful prehearing conference. A meaningful prehearing conference must be scheduled no later than the 11th day from the date DHS receives the request for hearing, unless the client and AHR chooses not to attend the prehearing conference.

Note: When the 11th day falls on a non-workday, the prehearing conference must be scheduled by the next work day.

- A DHS-1560, Prehearing Conference Notice, must be generated and mailed to the client and AHR upon receipt of a hearing request.
- Enter the scheduled prehearing conference on the hearings log.
- Contact third party representatives, if applicable. Examples include: MRT and Office of Child Support.

**Meaningful
Prehearing
Conference**

The meaningful prehearing conference should be held on the date/time scheduled and include the client, AHR if any and a DHS Supervisor. The senior disability examiner will participate via telephone (teleconference). All are scheduled as in-person conferences at the:

Jackson County DHS
301 E. Louis Glick Highway
Jackson, MI 49201.

NOTE: At the request of the client or AHR, the meaningful prehearing conference may be rescheduled once.

Do all of the following at the pre-hearing conference:

- Determine why the client or AHR is disputing the DHS action.
- Review any documentation the client or authorized hearing representative provide in support of the allegation.
- Explain the department's position, identify and discuss the differences.
- Determine whether the dispute can be resolved locally or requires MAHS to resolve.

Note: If the client or AHR does not attend a meaningful prehearing conference, the senior MRT will review the medical case packet and any new medical document, if any, for a final review before submitting the packet and document(s) to MAHS.

Outcomes

1. Client fails to appear.

- Prepare DHS-3050, Hearing Summary, and hearing packet with all evidence DHS plans to submit at the administrative hearing.
- Scan the case record into SharePoint.
- Prepare a hearing packet for MAHS, client and the AHR. Mail the packet to each.

2. Request is inappropriate.

Prepare DHS-3050, Hearing Summary, identify in the first sentence why DHS feels the request is inappropriate.

Compete the hearing packet with all evidence DHS plans to submit at the administrative hearing.

Place case into SharePoint.

- Prepare a paper file for the client and the AHR.
- Mail each paper packet.

3. Client and/or AHR withdrawals.

Withdrawal prior to hearing packet being submitted to MAHS.

- At any time during a meaningful prehearing conference, the client or AHR may choose to withdraw his/her request for hearing. When such a request is made, complete a DHS-18M, Hearing Request Withdrawal form.
- Secure signature on the DHS-18M, Hearing Request Withdrawal, and place in the hearing packet.
- Provide a copy to the client and AHR.
- Scan DHS-18 and DHS-18M and upload into SharePoint.
- Dispose of the request in Bridges and dispose of the request on the hearings log.
- Notify any DHS partners of the withdraw and disposition.
- Close out the request for hearing in this manner, and take no further action.

Withdrawal after the hearing packet is submitted. Withdrawals not in person.

- When the client or AHR requests a hearing request withdrawal form outside of the Meaningful Prehearing Conference setting, the DHS-18A, Hearing Request Withdrawal, must be used.
- Secure signature on the DHS-18A, Hearing Request Withdrawal.
- Notify MAHS via SharePoint of the withdrawal. Attach DHS-18A.

4. Scheduled for an administrative hearing at MAHS.

- Complete the DHS-3050, Hearing Summary, and evidence packet.
- Scan hearing summary and evidence packet to MAHS using SharePoint.
- Notify MAHS to schedule the client for an administrative hearing.

- Complete DHS - 1216-AP, Request for Attorney General Representation, and all required documentation for the AGs office if applicable.

MAHS will schedule the administrative hearing and send notification to all parties. DHS will receive notification via the SharePoint team site.

LIMITATIONS

All current DHS policies and procedures remain in effect unless specifically mentioned as a change in this pilot policy.

LEGAL BASE

MCL 400.14g